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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
8

9 Hamza Bendelladj,
10 Petitioner,
11 v.
12 A. Dulgov, Warden,
13 Respondent.
14

No. CV 23-00255-TUC-CKJ (LCK)

**REPORT AND
RECOMMENDATION**

15
16 Petitioner Hamza Bendelladj filed a Petition under 28 U.S.C. § 2241 for a Writ of
17 Habeas Corpus. (Docs. 1, 2.) Pursuant to the Rules of Practice of this Court, this matter
18 was referred to Magistrate Judge Kimmins for Report and Recommendation. The
19 Magistrate Judge recommends the District Court, after its independent review of the record,
20 dismiss the case because Petitioner's location is unknown and he failed to comply with
21 Court rules and a Court order.

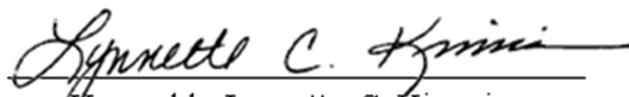
22 On August 7, 2023, the Court entered an order directing the Clerk of the Court to
23 serve Respondent with a copy of the Petition. (Doc. 5.) The Court's Order also informed
24 Petitioner of his responsibility to notify the Court, pursuant to Rule 83.3(d) of the Local
25 Rules of Civil Procedure, of any change of address. (*Id.* at 1-2.) Petitioner was notified that
26 failure to comply with this requirement could result in dismissal of his case. (*Id.*)

27 At the time Petitioner initiated this case and filed his Reply, he was housed at FCI
28 Safford in Arizona. (Docs. 1, 10.) However, in the summer of 2024, the Bureau of Prisons'
inmate locator showed Petitioner as housed at Terminal Island FCI.

1 <https://www.bop.gov/inmateloc/>. Because Petitioner was in violation of the requirement
2 that he notify the Court of any change of address, the Court issued an order to show cause
3 why the case should not be dismissed for that violation. (Doc. 11.) That order informed
4 Petitioner that if he did not respond, “this case will be dismissed.” (*Id.* at 2.) A response to
5 the order was due on June 27, 2024. (*Id.*) The Court had the order to show cause sent to
6 Petitioner’s address on file as well as the location identified on the BOP website, but
7 Petitioner did not respond. The BOP’s website now indicates that Petitioner was released
8 from BOP custody on August 16, 2024.

9 Because Petitioner failed to file a change of address, did not respond to the order to
10 show cause, and the Court has no way to reach him, the Magistrate Judge recommends that
11 the District Court enter an order DISMISSING the Petition for Writ of Habeas Corpus.
12 Pursuant to Federal Rule of Civil Procedure 72(b)(2), any party may serve and file written
13 objections within fourteen days of being served with a copy of the Report and
14 Recommendation.¹ A party may respond to the other party’s objections within fourteen
15 days. No reply brief shall be filed on objections unless leave is granted by the District
16 Court. If objections are not timely filed, they may be deemed waived. If objections are
17 filed, the parties should use the following case number: **CV-23-00255-CKJ**.

18 Dated this 27th day of August, 2024.

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21 
22 Honorable Lynnette C. Kimmins
23 United States Magistrate Judge
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27 ¹ In the event Petitioner has a forwarding address with BOP, the Court will direct
28 the Clerk of Court to send this Report and Recommendation to Petitioner’s address of
record as well as the address of Terminal Island FCI.